

1 TONY WEST
 Assistant Attorney General
 2 ELIZABETH J. SHAPIRO
 Deputy Branch Director
 3 JOEL McELVAIN, DC Bar No. 448431
 Senior Trial Counsel
 4 U.S. Department of Justice
 Civil Division, Federal Programs Branch
 5 20 Massachusetts Ave., NW
 Washington, DC 20001
 6 Telephone: (202) 514-2988
 Fax: (202) 616-8202
 7 Email: Joel.McElvain@usdoj.gov

8 Counsel for Defendants

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 10 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

11 ELECTRONIC FRONTIER FOUNDATION,)	
)	
12 Plaintiff,)	Case No. 4:09-cv-03351-SBA
)	
13 v.)	Stipulation and Proposed Order
)	
14 CENTRAL INTELLIGENCE AGENCY, <i>et al.</i> ,)	No hearing requested
)	
15 Defendants.)	

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 17 The parties to this action, by and through their undersigned counsel, have
 18 conferred and have reached an agreement with respect to the matters at issue in the
 19 parties' forthcoming motions for summary judgment. The parties stipulate as follows.

20 1. Plaintiff does not dispute that the Defendants have conducted adequate searches
 21 for records responsive to the Plaintiff's FOIA requests.

22 2. Plaintiff does not dispute that Defendant Department of Defense (DOD) has
 23 properly withheld material pursuant to Exemptions 3, 6 and 7(C), 5 U.S.C. § 552(b)(3),
 24 (b)(6), (b)(7)(C).

25 3. Plaintiff does not dispute that Defendant Department of Homeland Security
 26 (DHS) has properly withheld material pursuant to Exemptions 6 and 7(C), 5 U.S.C.
 27 § 552(b)(6), (b)(7)(C).
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4. Plaintiff does not dispute that Defendant Office of Director of National Intelligence (ODNI) has properly withheld material pursuant to Exemptions 2, 3, and 6, 5 U.S.C. § 552(b)(2), (b)(3), (b)(6). Plaintiff also does not dispute that ODNI has properly withheld material pursuant to Exemption 1, 5 U.S.C. § 552(b)(1), where such withholdings are claimed coextensively with Exemption 3. In addition, Plaintiff does not dispute ODNI's withholdings pursuant to Exemption 5, 5 U.S.C. § 552(b)(5), with respect to the following documents (as numbered in the draft *Vaughn* index previously provided by ODNI to Plaintiff): 111-114, 125, 132, 134 -157, 160-161, 165-168, and 170-171.

Dated: November 18, 2011

Respectfully submitted,

/s/ Joel McElvain
JOEL McELVAIN
Counsel for Defendants

/s/ Jennifer Lynch
JENNIFER LYNCH
Counsel for Plaintiff

I hereby attest that I have obtained the consent for the filing of this document from all persons whose signatures are represented herein.

/s/ Joel McElvain
JOEL McELVAIN
Counsel for Defendants

* * * * *

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

The Hon. SAUNDRA B. ARMSTRONG
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on November 18, 2011, I electronically filed the foregoing document with the Clerk of the Court, using the CM/ECF system, which will send notification of such filing to the counsel of record in this matter who are registered on the CM/ECF system.

/s/ Joel McElvain
JOEL McELVAIN